2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

16 May 2005

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New York, 2-27 May 2005

Further measures to strengthen the Treaty on the Non-Proliferation of Nuclear Weapons

Twenty-one Measures for the Twenty-first Century

Working paper submitted by Japan

1. The 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) will provide the States parties with opportunities to show their resolve to make progress in strengthening the NPT regime, which will certainly contribute to the international peace and stability.

2. Japan believes that the States parties should redouble their efforts to reach a common understanding on measures to be taken for further strengthening the Treaty at the coming Review Conference. To this end, Japan proposes the following 21 measures to be included in the document(s) to be issued as final product(s) of the 2005 Review Conference.

Nuclear disarmament

3. In accordance with article VI of the Treaty and pursuant to paragraphs 3 and 4 (c) of the 1995 decision on "Principles and Objectives" and the Final Document of the 2000 Review Conference, the Conference agrees that all States parties should take further practical measures towards the goal of nuclear disarmament.

1. Further reduction in nuclear arsenals

4. The Conference agrees that the realization of a safe world free of nuclear weapons will require further steps, including deeper reductions in all types of nuclear weapons by all the nuclear-weapon States with greater transparency and in an irreversible manner, in the process of working towards their elimination.

5. While recognizing the progress made by nuclear-weapon States on nuclear arms reductions, the Conference encourages the Russian Federation and the United States of America to implement fully the Treaty on Strategic Offensive Reductions

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and to continue their intensive consultations in accordance with the Joint Declaration on the New Strategic Relationship between the two States.

2. International cooperation on reducing nuclear-weapons-related materials

6. With a view to accelerating disarmament of nuclear weapons excess to military needs, the Conference encourages States to continue to pursue efforts within the framework of international cooperation aimed at the reduction of nuclear-weapons-related materials, such as the Cooperative Threat Reduction programme, and the Group of Eight Global Partnership against the Spread of Weapons and Materials of Mass Destruction.

3. Reducing the operational status of nuclear weapons systems

7. The Conference calls for the nuclear-weapon States to further reduce the operational status of nuclear weapons systems in ways that promote international stability and security.

4. A diminishing role for nuclear weapons

8. The Conference reaffirms the necessity of a diminishing role for nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination.

5. Securing fissile materials

9. The Conference stresses that fissile material resulting from reductions in nuclear arsenals must be controlled and protected to the highest standards, and calls for arrangements by all the nuclear-weapon States to place fissile material no longer required for military purposes under international verification as soon as is practicable to ensure such material is irreversibly removed from nuclear weapons use.

6. Early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT)

10. The Conference reaffirms the importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

11. The Conference urges all States that have not yet ratified the Comprehensive Nuclear-Test-Ban Treaty, in particular those 11 States whose ratification is required for the Treaty to enter into force, to do so at the earliest opportunity.

12. The Conference agrees that existing moratoriums on nuclear-weapon test explosions must be maintained pending entry into force of the CTBT.

7. The Comprehensive Nuclear-Test-Ban Treaty Verification regimes

13. The Conference reaffirms the importance of continued development of the CTBT verification regime, including the International Monitoring System, which will be required to provide assurance of compliance with the Treaty.

8. Fissile Material Cut-off Treaty

14. The Conference reaffirms the importance of immediate commencement of negotiations on the Fissile Material Cut-off Treaty, and its early conclusion.

15. The Conference stresses that a conclusion of the FMCT will be an essential building block towards the total elimination of nuclear arsenals and will also contribute to the prevention of nuclear proliferation by banning globally the production of fissile materials for nuclear weapons and enhancing transparency and accountability in the management of such materials through its verification system.

16. The Conference calls upon all nuclear-weapon States and States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons to declare moratoriums on the production of fissile material for any nuclear weapons pending the entry into force of the Fissile Material Cut-off Treaty.

17. Given the importance of immediate commencement of negotiation of the Fissile Material Cut-off Treaty, the Conference regards it as a primary task for the Conference on Disarmament to reach agreement on a programme of work.

Nuclear non-proliferation

9. Democratic People's Republic of Korea

18. The Conference expresses grave concern over the DPRK's nuclear programmes, which undermine peace and stability on the Korean Peninsula and beyond. The Conference also expresses deep concern regarding the DPRK's decision to withdraw from the Treaty, which continues to represent a serious challenge to the global non-proliferation regime.

19. Furthermore, the Conference expresses its utmost regret and deep concern over the DPRK Foreign Ministry statement on 10 February 2005, which announced that it would suspend its participation in the Six-Party Talks for an indefinite period and that it had manufactured nuclear weapons.

20. The Conference urges the Democratic People's Republic of Korea to promptly come into compliance with the NPT and completely dismantle all of its nuclear programmes, including its uranium enrichment programmes, in a permanent, thorough and transparent manner subject to credible international verification. The Conference stresses that the Korean Peninsula must be denuclearized, while the peace, security and stability of the region should be strengthened and the legitimate interests and concerns of the relevant parties should be satisfied.

21. The Conference emphasizes the importance of peacefully resolving this issue through diplomatic means within the framework of the Six-Party Talks and urges the Democratic People's Republic of Korea to expeditiously return to the Six-Party Talks without preconditions.

10. Islamic Republic of Iran

22. Recognizing the efforts made by the international community, especially France, Germany and the United Kingdom of Great Britain and Northern Ireland (EU3)EU and the Islamic Republic of Iran, to pursue the peaceful resolution of the Iranian nuclear issue, the Conference recognizes the importance of the fact that the

Islamic Republic of Iran has voluntarily continued and extended its suspension of all uranium enrichment-related and reprocessing activities. At the same time, the Conference reaffirms its strong concern that the Islamic Republic of Iran's policy of concealment up to October 2003 has resulted in many breaches of Iran's obligations to comply with its safeguards agreement with the International Atomic Energy Agency (IAEA). The Conference further calls on the Islamic Republic of Iran to sincerely implement all the requirements of the relevant IAEA resolutions and expects the current negotiation process between EU3/EU and the Islamic Republic of Iran to result in a success. In particular, the Conference considers it extremely important that the Islamic Republic of Iran, through its negotiations with EU3/EU, agree to provide sufficient "objective guarantees" that its nuclear programme is exclusively for peaceful purposes.

11. The Libyan Arab Jamahiriya

23. The Conference welcomes Libya's decision announced in December 2003 to abandon all of its weapons of mass destruction programmes, while expressing concern over Libya's past failures to meet the requirements of its safeguards agreement, which constituted non-compliance. The Conference strongly hopes that the Democratic People's Republic of Korea and those States that are not subject to suspicion for developing WMDs will follow Libya's example.

12. Strengthening and maximizing the efficiency of the International Atomic Energy Agency safeguards

24. The Conference reaffirms the necessity of enhancing IAEA's capability of safeguards activities to assure the non-diversion of declared nuclear material which has been placed under safeguards in each State and the absence of undeclared nuclear material and activities for the State as a whole and emphasizes, in particular, the importance of the universalization of the Additional Protocol as the most realistic and effective means to strengthen the current international non-proliferation regime. The Conference recognizes that the strengthened safeguards system should constitute the NPT safeguards standard as required by paragraph 1 of Article III of the NPT from a certain date. The Conference urges those States parties that have not yet concluded a comprehensive safeguards agreement and/or an additional protocol with the IAEA to do so without further delay.

25. The Conference welcomes the IAEA's completion of the conceptual framework for integrated safeguards as well as its application to those States parties that have achieved a good track record on the IAEA's safeguards activities based on both comprehensive safeguards agreements and additional protocols. The Conference recognizes the importance of promoting the adoption of integrated safeguards with a view to maximizing the effectiveness and the efficiency of the IAEA's safeguards activities within available resources, and encourages the IAEA to take necessary steps to strengthen integrated safeguards approaches.

13. Establishing and implementing effective national export control systems

26. Recognizing the important role of multinational export control regimes for nuclear-related materials, equipment and technology — i.e., the Zangger Committee and the Nuclear Suppliers Group (NSG) — in ensuring the implementation of paragraph 2 of Article III of the Treaty, the Conference urges those States parties

that have not yet done so to establish and implement appropriate effective national rules and regulations on export controls over both nuclear and nuclear-related dual-use items, based on the Zangger Committee Understandings (INFCIRC/209/Rev.2) and the NSG Guidelines (INFCIRC/254/Rev.7/Part 1 and INFCIRC/254/Rev.6/Part 2). In this regard, the Conference notes that United Nations Security Council resolution 1540, adopted in April 2004 requires all States to establish, develop, review and maintain appropriate effective national export controls.

14. Special controls on the transfer of sensitive material, facilities, equipment and technology

27. In particular, the Conference recognizes the necessity of introducing new measures to place special controls on the transfer of sensitive material, facilities, equipment and technology that could be used in the development of nuclear weapons, such as those related to enrichment and reprocessing, and urges all States parties to exercise restraint in and vigilance over such transfer. In this regard, the Conference welcomes the continuing, devoted efforts to update the NSG Guidelines by the NSG participating governments.

15. IAEA Additional Protocol as a precondition of supply

28. With regard to the required safeguards in paragraph 2 of Article III of the Treaty, the Conference reaffirms paragraph 12 of Decision 2 (Principles and objectives for nuclear non-proliferation and disarmament), adopted on 11 May 1995 by the Review and Extension Conference of the Parties to the Treaty, in which States parties agreed that new nuclear supply arrangements to non-nuclear-weapon States should require, as a necessary precondition, acceptance of IAEA's full-scope safeguards. The Conference further agrees that new nuclear supply arrangements of all the items in the Trigger List of the Zangger Committee Understandings and of the NSG Part 1 Guidelines to non-nuclear-weapon States should require, as a necessary precondition, the conclusion of additional protocols. In this regard, the Conference welcomes the continuing, devoted efforts to update the Zangger Committee Understandings and the NSG Guidelines by participating governments of the respective multinational export control regimes.

16. Nuclear-weapon-free zone

29. The Conference agrees that the concept of internationally recognized nuclear-weapon-free zones established on the basis of arrangements freely arrived at among States in the regions concerned contributes to regional and global peace and stability, and thus reaffirms its support for the concept.

30. The Conference appreciates the efforts made to establish nuclear-weapon-free zones in various regions, in particular in Central Asia and the Middle East, and agrees that progress in this regard will further strengthen the credibility of the NPT.

17. Measures against nuclear terrorism

31. The Conference urges the States Parties to the Convention on the Physical Protection of Nuclear Material (CPPNM) to participate in the conference of plenipotentiaries in July 2005 and to agree on amendments to strengthen the CPPNM.

32. The Conference welcomes the approval by the IAEA Board of Governors of the Code of Conduct on the Safety and Security of Radioactive Sources, and the approval by the IAEA Board of Governors of the Guidance on the Import and Export of Radioactive Sources.

33. The Conference welcomes the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism by the United Nations General Assembly.

34. The Conference notes that United Nations Security Council resolution 1540 (2004) requires all States to develop and maintain appropriate physical protection measures, border control and law enforcement.

Use of nuclear energy for peaceful purposes

18. Peaceful uses of nuclear energy

35. The Conference affirms that the peaceful uses of nuclear energy by a non-nuclear-weapon State that carries out nuclear activities with the confidence of the international community by faithfully fulfilling its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and by ensuring high transparency of its nuclear activities should not be unduly affected.

36. The Conference supports the promotion of the activities of the IAEA in the field of nuclear safety, and also supports adherence by as many States as possible to international conventions in this area, such as the Convention on Nuclear Safety.

37. The Conference supports enhancing the global safety of spent fuel and radioactive waste management and thereby recognizes the importance of adherence by as many States as possible to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

38. The Conference recognizes the importance of international technical cooperation in peaceful use of nuclear technology — particularly in such fields as human health, agriculture, food, sanitary, and water resources, that plays a key role and brings about significant benefits to the whole world. In this regard, the Conference stresses the need to further strengthen the IAEA's technical cooperation activities, to continually enhance the effectiveness and efficiency of the technical cooperation programmes, and to promote activities supporting self-reliance and sustainability, particularly in developing countries in the fields stated.

39. The Conference urges IAEA Member States to make every effort to contribute to the Agency's Technical Cooperation Fund as well as to honour their obligation to pay their National Participation Costs as well as arrears of Assessed Programme Costs. In this context, the Conference stresses that the financing of technical cooperation should be in line with the concept of "shared responsibility" and all members share a common responsibility towards financing and enhancing the technical cooperation activities of the Agency.

General issues

19. Universalization of the Treaty on the Non-Proliferation of Nuclear Weapons

40. The Conference urges all States not yet party to the Treaty — namely India, Israel and Pakistan — to accede to the Treaty as non-nuclear-weapon States promptly and without condition, and to bring into force the required comprehensive safeguards agreements and additional protocols. The Conference strongly urges the non-party States to refrain from acts which would defeat the object and purpose of the Treaty as well as to take practical steps in support of the Treaty, pending their accession to the Treaty as non-nuclear-weapon States.

20. Effective mechanisms to deal with withdrawal from the Treaty

41. The Conference reaffirms that a State party which has withdrawn from the Treaty remains responsible for violations it committed while being a party. The Conference urges any supplier country of the nuclear material, facilities, equipment etc. to make necessary arrangements entitling it to require the return of any nuclear material, facilities, equipment etc. transferred prior to the withdrawal or their neutralization.

21. Disarmament and non-proliferation education

42. The Conference encourages the States parties to undertake concrete activities to implement, as appropriate, the recommendations in the report of the United Nations Secretary-General on disarmament and non-proliferation education, submitted by the Secretary-General to the General Assembly at its fifty-seventh session, and to voluntarily share information on efforts they have been undertaking to this end.

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